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EXAMINER

DELGADO, MICHAEL A

ART UNIT PAPER NUMBER

2144

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/989,111

Applicant(s)

PRADHAN ET AL.

Examiner

Michael S. A. Delgado

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-20 and 22-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-20 and 22-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 05/07/2003.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 06/13/2005 have been fully considered but they are not persuasive. In response to the argument that prior art failed to teach the collating feature. Sisodia teaches about a synchronization operation between a portable device and a remote host (Para 41, lines 1-13). For data synchronization to occur the act of collating has to take place before synchronization is possible. The arguments that are represented in the amended claims will be addressed in the office action.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 5-20 and 22-36 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2003/0165128 by Sisodia et al.

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In claim 1, Sisodia teaches about a method of generating a web page through use of first “portable device” and second network elements “remote computer” comprising the steps of (Para 21, lines 17-22) (Para 11, lines 15-30):

(i) passing a first data set including web page data from the first network element to the second network element over a network via a wireless network connection (via wireless access point) (Para 33, lines 1-15) (Para 41, lines 1-12);

(ii) passing a second data set including web page data from the second network element to the first network element over the network via a wireless network connection (via wireless access point) (Para 33, lines 1-15) (Para 41, lines 1-12); and

(iii) collating the first and second data sets to form a web page that is dynamically updated with the information included in the first and second data sets (Para 33, lines 1-15) (Para 41, lines 1-12).

In claim 2, Sisodia teaches about a method of claim 1 wherein steps i), ii) and iii) is enacted when the first and second network elements are within network connection range of each other (Para 31, lines 12-19) (Para 37, lines 1-12).

In claim 3, Sisodia teaches about a method of claim 1 further including the steps of polling by at least the first network element in order to ascertain if there is a network element within network connection range and allowing said network element to connect to the network and contribute information to the networked information resource as it connects to the network

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(Para 31, lines 12-18) (Para 37, lines 1-12). (The polling feature is a part of the bluetooth specification)

In claim 5, Sisodia teaches about a method of claim 1 further comprising storing a script “software applet” for a web page on at least one of the network elements (Para 33, lines 1-16).

In claim 6, Sisodia teaches about a method of either of claim i further comprising the step of accessing the web page via a graphical user interface “browser” (Para 33, lines 1-16).

In claim 7, Sisodia teaches about a method of claim 1 further comprising the step of mediating the passage of data between the first and second network elements through the third network element “access point” (Para 41, lines 1-13).

In claim 8, Sisodia teaches about a method of claim 7 further comprising accessing the networked information resource via the third network element, which forms an access point (Para 41, lines 1-13).

In claim 9, Sisodia teaches about a method of claim 1, further comprising providing a server (Fig 1, 111) in the form of any one of the network elements (Para 19, lines 11-15).

In claim 10, Sisodia teaches about a method of claim 1 further comprising restricting access to some or all of the data stored on any one of the network elements by any other of the network elements (Para 46, lines 1-7).

In claim 11, Sisodia teaches about a method of claim 1, further comprising the step of broadcasting a network address associated with the networked information resource from a beacon at a first location (Fig 1, 111)(Para 45, lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).

In claim 12, Sisodia teaches about a method of claim 10, wherein the network address is in the form of a URL (Para 11, lines 25-35) (Para 21, lines 17-22) .

In claim 13, Sisodia teaches about a method of claim 1 further comprising the step of broadcasting the network address via a second beacon at a second location (Fig 1, 125), the second location having an access point connected to the network address (Para 20, lines 1-6).

In claim 14, Sisodia teaches about a method of claim 1 wherein at least one of the first and second network elements in the form of a mobile telecommunications device (Para 17, lines 1-11).

In claim 15, Sisodia teaches about a method of claim 1 wherein the network is in the form of a short-range wireless network "Bluetooth" (Para 8, lines 11-18).

In claim 16, Sisodia teaches about a method of claim 1 wherein at least one of the first and second network elements include a long range, typically cellular, transceiver therein (Para 11, lines 7-17).

In claim 17, Sisodia teaches about a method of claim 15, further comprising the step of accessing the networked information resource via a cellular transceiver associated with another network element (Para 20, lines 1-12).

Claim 18 is the system for the method of claim 1 and is rejected in the same way.

In claim 19, Sisodia teaches about a system of claim 18 wherein the at least first network element, is arrange to provide information to the networked information resource via at least one of the wireless network connections (Para 41, lines 1-13) (Para 43, lines 1-5).

In claim 20, Sisodia teaches about a system of claim 19, wherein the information is provided in response to a request from the at least second network element (Para 41, lines 1-13) (Para 43, lines 1-5). (In file sharing action of requesting and responding have to occur for it to be possible)

In claim 22, Sisodia teaches about a system of claim 18, wherein at least one of the first and second network elements is mobile telecommunications device (Para 17, lines 1-11).

In claim 23, Sisodia teaches about a system of claim 18, wherein the network is a short-range wireless network (Para 20, lines 1-7).

In claim 24, Sisodia teaches about a system of claim 18, wherein at least one of the wireless network connections is either an infra-red or a radio-frequency connection (Para 31, lines 12-19).

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In claim 25, Sisodia teaches about a system of claim 18 wherein further including a third network element "access point" (Para 41, lines 1-13).

In claim 26, Sisodia teaches about a system of claim 25 wherein the third network element includes a transceiver (Fig 3, 330).

In claim 27, Sisodia teaches about a system of claim 25 wherein the third network element is arranged to mediate the passage of the information between the first and second network elements (Para 41, lines 1-13).

In claim 28, Sisodia teaches about a system of claim 18 further including a server (Fig 1, 111).

In claim 29, Sisodia teaches about a system of claim 28, wherein at least one of the network elements acts as the server (Para 17, lines 1-15). (Access point acts the role of a server and a client when in operation)

In claim 30, Sisodia teaches about a system of claim 28 wherein the server is arranged to store a script for the web page (Para 33, lines 9-16).

In claim 31, Sisodia teaches about a system of claim 18 further including a beacon for broadcastings a network address associated with the networked information resource at a first location (Para 45, lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).



In claim 32, Sisodia teaches about a system of claim 18 further including an access point from which the networked information resource can be accessed (Para 19, lines 11-15).

In claim 33, Sisodia teaches about a system of claim 32 wherein the system comprises a server (Fig 1, 111) and wherein the access point (Fig 1, 101) is arranged to couple a signal including web page data to the server (Para 18, lines 1-15) .

In claim 34, Sisodia teaches about a system of claim 32 wherein a second beacon is arranged to broadcast the network address at a second location and a second access point is arranged to couple a signal including web page data to the network address corresponding to the networked information resource (Para 20, lines 1-7) (Para 21, lines 17-23) .

In claim 35, Sisodia teaches about a system of claim 18 further including an access filter, for restricting access to data stored on any one of the network elements by any other of the network elements (Para 46, lines 1-7).

In claim 36, Sisodia teaches about a method of generating v-business information “contact information” through use of first “portable device” and second network elements “remote computer” comprising the steps of (Para 21, lines 17-22) (Para 11, lines 15-30):

(i) passing a first data set including v-business information from the first network element to the second network element over a network via a wireless network connection (via wireless access point) (Para 11, lines 15-30) (Para 33, lines 1-15) (Para 41, lines 1-12);

(ii) passing a second data set including v-business information from the second network element to the first network element over the network via a wireless network connection (via wireless access point) ((Para 11, lines 15-30) Para 33, lines 1-15) (Para 41, lines 1-12); and

(iii) collating the v-business information of the first and second data sets to form the v-business information that is dynamically updated with the v-business information included in the first and second data sets (Para 11, lines 15-30) (Para 33, lines 1-15) (Para 41, lines 1-12).

***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 2001/0055950 by Davis et al, teaches about a data delivery through portable devices.

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US 6,779,153 by Kagle, teaches about a creation of web pages through synchronization.

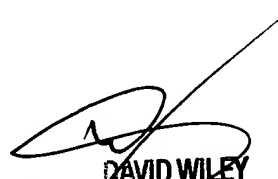
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923

. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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